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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/792,283	03/04/2004	Michael Kaufman	100940.53288US	3140
23911	7590	06/09/2006		
CROWELL & MORING LLP INTELLECTUAL PROPERTY GROUP P.O. BOX 14300 WASHINGTON, DC 20044-4300			EXAMINER MATTHEWS, TERRELL HOWARD	
			ART UNIT 3654	PAPER NUMBER

DATE MAILED: 06/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/792,283	<b>Applicant(s)</b> KAUFMAN, MICHAEL	
	<b>Examiner</b> Terrell H. Matthews	<b>Art Unit</b> 3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/4/2004, 7/26/04</u> . | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heckert (US-6705238) in view of Langewelpott (DE-4106371) in further view of Heide (US-4534544).

Referring to claims 1-6. Heckert discloses a "Scissors-Type Lifting Table". See Figs. 1-2 and respective portions of the specification. Heckert further discloses a scissor lift mechanism (20) comprising at least two scissor elements (12,13) connected in pairs at a swivel axis (16) situated between end sections of the scissor elements, a drive (1) for raising and lowering the scissor elements via a traction member (4) attached to the scissor lift mechanism. Heckert does not disclose at least one coupling bridge with two swiveable thrust struts each connected to a respective scissor element by a pivotable connection, wherein the coupling bridge carries at least one reversing roller for the traction member or wherein the traction member is guided back and forth along a plurality of generally parallel paths between coupling bridges by a plurality of reversing rollers arranged on the coupling bridges. Heckert does however disclose reversing rollers (See at least Col. 3 l. 50-63 & at least Figs. 1-2). Langewelpott discloses a "Scissor Type Lifting Table". See Figs. 1-3 and respective portions of the specification.

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Langewellpott further discloses at least one coupling bridge (34) with two swiveable thrust struts (36,38) each connected to a respective scissor element (16,18) by a pivotable connection (See at least Fig. 3). Heide discloses a "Lift". See Figs. 1- 3 and respective portions of the specification. Heide further discloses a lift mechanism comprising at least two scissor elements (3,4) connected in pairs at a swivel axis (8) situated between end sections of the scissor elements and at least one reversing roller (15) for the traction member (10) as well as guide rails (16,17) for guiding the movement of the roller for raising and lowering of the lift mechanism (See at least Col. 2 l. 25-53 & at least Figs. 2-3). It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the apparatus of Heckert to include the teachings of Langewellpott and Heide and include a coupling bridge with swiveable thrust struts and a reversing roller, wherein the traction member is guided back and forth along a plurality of parallel paths by the reversing rollers so that a uniform lifting motion can be achieved to raise and lower the lift mechanism which will allow for a large lifting force with little effort consequently making the system more effective and efficient.

Referring to claim 7. Heckert does not disclose wherein thrust struts define equal spacing between the coupling bring and the respective scissor elements. Langewellpott discloses wherein the thrust struts (36,38) define equal spacings between the coupling bridge (34) and the respective scissor elements to which the thrust struts are attached (See at least Figs. 1-3). It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the apparatus of Heckert to include the

teachings of Langewelpott so that the thrust struts were spaced apart equally from the coupling bridge so a uniform lifting motion could be achieved.

Referring to claim 8. Heckert discloses wherein the traction member is arranged generally parallel to one another are wrapped around the reversing rollers in opposite directions (See at least Col. 3 l. 58 – Col. 4 l. 48 & at least Fig. 2).

Referring to claim 9. Heckert discloses wherein at least a portion of the traction member is in the form of a flat belt (See at least Col. 3 l. 50-63 & at least Figs. 1-2).

Referring to claims 10-11. Heckert discloses wherein the lift mechanism comprises a plurality of pairs of scissor elements arranged in a modular fashion and a plurality of traction members (4) operated by a common drive (1) (See at least Col. 3 l. 35-63 & at least Figs. 1-2).

Referring to claims 12-13. Heckert does not disclose two coupling bridges that are interconnected by a guide element, which is continuously adjustable in length. Langewelpotts discloses the invention as described above in detail. Langewelpotts further discloses wherein the two coupling bridges (34) are interconnected by a guide element (30), which is continuously adjustable in length. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the apparatus of Heckert to include a guide element as taught by Langewelpotts so that the coupling bridges could be stabilized and so that the coupling bridges could be in vertical alignment in addition to serving as an emergency brake to provide for a more stable transport and to serve as an additional safety mechanism.

Referring to claim 14. Heckert does not disclose wherein the drive is disposed on the coupling bridge. Langewellpotts discloses wherein the drive (48) is disposed on the coupling bridge (See at least Figs. 1). It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the apparatus of Heckert to include the drive on the coupling bridge as taught by Langewellpotts so that less space used and so the drive was easier to work on if it required maintenance.

Referring to claim 15. Heckert discloses wherein the drive (1) is connected to a winding drum (3) for the traction member. Heckert does not disclose wherein the diameter of the drum is determined as a function of the thickness of the traction member such that a constant rotational speed of the winding drum leads to a substantially constant change in lift height of the lift mechanism. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the apparatus of Heckert so that winding drum was determined as a function of the thickness of the traction member so that the lift mechanism could be lifted in a uniform manner however which would provide for efficient, effective and safe raising and lowering of the lift mechanism.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wilhelm (DE-3502641) discloses a "Scissor-type lifting device" comprising a drive (1), scissor elements (2,2a), rollers (4), thrust struts (7,8), coupling bridges (14), length-adjusting device (10).

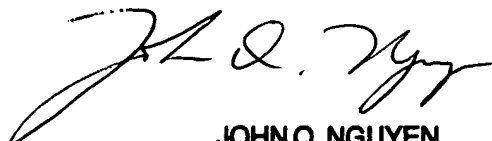
Heide (DE-10024075) discloses a "Lifting Device" comprising a traction member (32), scissor elements (10,12), drive motor (38), reversing roller (44), and winding drum (34).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Terrell H. Matthews whose telephone number is (571)272-5929. The examiner can normally be reached on M-F 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

THM



**JOHN Q. NGUYEN**  
**PRIMARY EXAMINER**